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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,095	06/22/2001	Louis Arquie	K35A0772	7928

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EXAMINER

HARRISON, CHANTE E

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 06/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/888,095	ARQUIE ET AL.
Examiner	Art Unit	
Chante Harrison	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 22 June 2001.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-11 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 22 June 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "540" has been used to designate both a designated area and the unmapped hub group in Fig. 5B. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "428". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "100, 110, 442, 446, 448, 450, 510 & 270". A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephen Grau et al., U.S. Patent 6,067,093, 5/2000.

As per claims 1, 10 and 11, Grau discloses forming a first layer of a multi-layer representation wherein at least two nodes are represented separately (Fig. 11 "1120" & "D & E" as labeled by Examiner); grouping the nodes of the first layer into group nodes to form a second layer in the multi-layer representation (Fig. 11 "1110"); grouping the group nodes of the second layer into a third layer, the third layer having at least one connected-superset node containing group nodes with nodes connected to each other (Fig. 11 "A" as labeled by Examiner), and at least one isolated-superset node containing group nodes having nodes isolated from each other (Fig. 11 "B" as labeled by Examiner); and displaying (Fig. 6) the superset nodes in the third layer so the connected-superset node is separate from the isolated-superset node (Fig. 11). Grau fails to specifically disclose the connected-superset node is selectively expandable to display group nodes and connections between the nodes, and the isolated-superset

node is selectively expandable to display group nodes of the second layer. It would have been obvious to one of skill in the art to include selectively expanding the connected-superset node to display group nodes and connections between the nodes and selectively expanding the isolated-superset node to display group nodes of the second layer in the disclosure of Grau because Grau teaches a user interface selective component that allows viewing of different aspects of the tree structure of a network topology (col. 4, ll. 40-45) and retrieving tree data describing the structure and layout of selected maps (col. 5, ll. 3-13), which are replaced by larger nodes when grouped (col. 10, ll. 50-56).

As per dependent claim 2, Grau discloses creating a graph of nodes to be displayed in the network as a leaf graph (Fig. 11; col. 1, ll. 53-57).

As per dependent claim 3, Grau discloses the leaf graph includes components and interconnection paths of the network (col. 1, ll. 54-61; col. 3, ll. 14-20).

As per dependent claim 4, Grau discloses group nodes in the connected superset node are laid out according to layout rules (col. 1, ll. 25-30, 54-61; col. 3, ll. 44-47)..

As per dependent claim 5, Grau discloses the group nodes in the connected superset node comprises any one or more of switch groups (i.e. router) and host groups (i.e. LAN) (col. 3, ll. 14-18, 44-48; col. 1, ll. 54-61).

As per dependent claim 6, Grau discloses a layout rule consists of the switch group with the highest connectivity (i.e. parent node) being placed in the center of the connected-superset node (col. 9, ll. 20-27; col. 10, ll. 35-45).

As per dependent claim 7, Grau fails to specifically disclose the connected-superset node is fully expandable while the isolated-superset node is minimized. It would have been obvious to one of skill in the art to include fully expanding the connected-superset node while the isolated-superset node is minimized in the disclosure of Grau because Grau teaches a user interface selective component that allows viewing of different aspects of the tree structure of a network topology (col. 4, ll. 40-45) having nodes that have been replaced by larger nodes as a result of grouping (col. 10, ll. 50-56).

As per dependent claim 8, Grau discloses the isolated-superset node comprises any one or more of unmapped hubs (i.e. server) and isolated switches (i.e. router).because Grau teaches that each node represents a computer system (i.e. server) having a router and a map representing a portion of the interconnected computers and routers (i.e. hubs and switches), thereby allowing the display of a single node to represent a computer (i.e. LAN) that is not connected to another LAN in the network.

As per dependent claim 9, Grau discloses the isolated group node consists of isolated devices other than unmapped hubs and isolated switches (abstract; col. 6, ll. 2-7).

***Conclusion***

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chante Harrison whose telephone number is (703) 305-3937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ch

June 5, 2003

